

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Constellation Newenergy, Inc. : CIVIL ACTION  
:   
:   
v. :   
:   
Powerweb : NO. 02-CV-2733  
:   
:

CONFERENCE ORDER

A Settlement Conference in the above-captioned case will be held on Thursday, May 13, 2004 at 10:30 a.m. before the Honorable James R. Melinson, Chief United States Magistrate Judge, in Room 3000, U.S. Courthouse, 601 Market Street, Philadelphia, Pa. 19106.

The court assumes that settlement of this case is a real possibility. Counsel are directed to notify the court if this assumption is unwarranted.

**Counsel are directed to arrange to have clients with ultimate authority to settle physically PRESENT in the courtroom for the duration of this conference.**<sup>1</sup> Parties are to remain present until expressly released by the court.

Counsel are further directed to complete the enclosed Settlement Conference Summary to be delivered to Chambers on or before Thursday, May 6, 2004.

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Hon. James R. Melinson  
Chief United States Magistrate Judge

Nancy DeLisle, Deputy Clerk  
215-597-5316

Date: April 28, 2004

cc: Joel M. Sweet, Esq.	Zachary C. Glaser, Esq.	Joseph F. O'Dea, Jr.,
Kara H. Goodchild, Esq.	Nicholas J. Nastasi, Esq.	Nytasha W. Tobias, Esq.
Rudolph Garcia, Esq.	William Matthews, Esq.	

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<sup>1</sup> Parties include all persons, corporations or other business entities, and insurance companies with an interest in the case, and each entity with an interest in the case must attend the conference. In the case of corporate or other business entities, the corporate official with ultimate settlement authority is required to attend. Where an insurance company is involved, a representative with ultimate settlement authority is also required to attend.

**SETTLEMENT CONFERENCE SUMMARY**

**CAPTION:** \_\_\_\_\_

**DISTRICT COURT JUDGE:** \_\_\_\_\_

**JURY / NONJURY**  
**(Circle One)**

**TRIAL/POOL DATE:** \_\_\_\_\_

**COUNSEL ATTENDING SETTLEMENT CONFERENCE:**

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone:** \_\_\_\_\_

**Client:** \_\_\_\_\_

**CLIENT ATTENDING SETTLEMENT CONFERENCE:**

**Name of Individual with Ultimate Settlement Authority who will be present at the settlement conference (include company and position where applicable):**

\_\_\_\_\_

**MOTIONS PENDING:**

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\_\_\_\_\_

\_\_\_\_\_

**OTHER RELEVANT MATTERS:**

\_\_\_\_\_

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\_\_\_\_\_

**PRIOR OFFERS / DEMANDS:**

\_\_\_\_\_

\_\_\_\_\_

**ATTACH SYNOPSIS OF CASE (LIMITED TO ONE PAGE)**